

Docket Management Branch (HFA-305)
Food and Drug Administration
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December 22, 1999

0400 '99 DEC 28 AIO:23

Docket No. 97N-484S

I am writing to voice my opposition to the proposed FDA regulations. If these regulations had been in place when I conceived my daughter, they would have prevented me from choosing the type of semen donor I wanted. I wanted a "yes" donor - an anonymous donor whose identity would be revealed to me while my daughter is still young. This way I can answer her when she asks whom her daddy is. After an extensive web search for open-information sperm banks, I found only one in Oakland and it was established primarily to serve the gay community. I had no concern one way or the other for the sexual preference of the donor. I was much more interested in the philosophy of the agency I would partner with to conceive my child, and in obtaining sperm with genetic characteristics similar to mine. The sperm bank that I chose disclosed the donor's sexual orientation to me as well as his sexual practices. None of the other sperm banks I contacted did that. Given the six-month quarantine period and the 2-3 month window period for HIV, I felt that this was a reasonable choice for me because finding a "yes" donor was so important to my family and I. It is wrong for the FDA to define gay men as "high risk" for semen donation given the safeguards already in place.

I work in the field of quality assurance at an FDA regulated medical device company and was impressed with the quality controls at the clinic. The quality records were thorough, the "raw material" controls, and the "procedural" controls were obvious and the director answered all my questions openly. I had no concern about potential health risks regarding use of gay sperm, and was particularly impressed that as a recipient, I had to go through all the same medical tests and procedures prior to qualification as a recipient that the donor did.

Therefore, I selected Rainbow Flag Health Services to provide both sperm and insemination. As a result, I have a beautiful 14-month old daughter. The identity of her donor has been revealed to me, and although we have not met, we have corresponded throughout the year. He is a gay man and I'm concerned that his rights to be a donor may be terminated as a result of FDA's discriminating legislation.

I am unsure the role my daughter's donor will play in her life, but am certain he has given me a gift beyond measure. I am glad I have gotten to know the donor

through letters and am relieved that we will not need to wait until my daughter is 18 to have his identity revealed and answer her inevitable questions. She now has a choice to develop a relationship with him or not. I am distressed that the FDA would try to take away this choice.

San Francisco Supervisor Mark Leno said when he introduced a resolution against these proposed regulations that they represent "ethnic cleansing of the Lesbian/Gay community". I agree with Supervisor Leno and emphasize that these regulations also limit a woman's right to choose with whom she may conceive. Given the safeguards I have mentioned, these regulations will not increase safety of women like me but will only limit our right to choose. Your proposed regulations repeatedly emphasize that you are trying to increase safety for the recipients. However, in this case, these regulations do not increase safety and would regulate my choice out of existence. I urge you to change this proposal so that this is not the case.

Sincerely,

A handwritten signature in cursive script that reads "Anita Neuman".

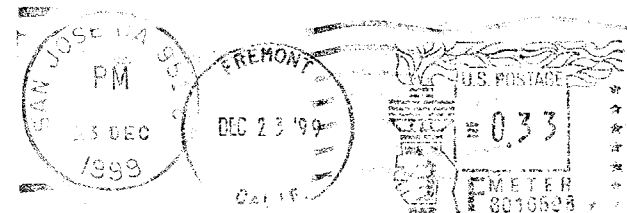
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